



House of Representatives

General Assembly

File No. 351

January Session, 2017

Substitute House Bill No. 7000

House of Representatives, April 3, 2017

The Committee on Higher Education and Employment Advancement reported through REP. HADDAD of the 54th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT EQUALIZING ACCESS TO STUDENT-GENERATED FINANCIAL AID.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2017*) (a) Beginning in the fall
2 semester of 2018, and for each semester thereafter, in accordance with
3 8 USC 1621(d), any person who is entitled to classification as an in-
4 state student for tuition purposes, including any person without legal
5 immigration status who files an affidavit with an institution of higher
6 education stating that such person has filed an application to legalize
7 his or her immigration status, or will file such application as soon as he
8 or she is eligible, pursuant to section 10a-29 of the general statutes,
9 shall be eligible to apply for and receive, to the extent permitted by
10 federal law, institutional financial aid to attend a public institution of
11 higher education in the state from the funds set aside by the
12 constituent unit, as defined in section 10a-1 of the general statutes. For
13 the purposes of this section, "institutional financial aid" means funds
14 set aside from the anticipated tuition revenue of an institution of

15 higher education for the purposes of providing tuition waivers, tuition
 16 remissions, grants for educational expenses, and student employment
 17 for residents of the state enrolled as full or part-time matriculated
 18 students in a degree-granting program or enrolled in a precollege
 19 remedial program and who demonstrate substantial financial need.

20 (b) Not later than January 1, 2018, the Board of Regents for Higher
 21 Education and the Board of Trustees for The University of Connecticut
 22 shall establish procedures and develop forms to enable persons who
 23 are eligible for institutional financial aid under subsection (a) of this
 24 section to apply for and receive, to the extent permitted by federal law,
 25 such institutional financial aid.

26 (c) Nothing in this section is intended to require or compel a public
 27 institution of higher education to match the amount of federal student
 28 financial aid a person eligible for institutional financial aid under
 29 subsection (a) of this section would receive if such person was eligible
 30 for such federal student financial aid.

31 (d) The Board of Regents for Higher Education and the Board of
 32 Trustees for The University of Connecticut may adopt policies as are
 33 necessary to carry out the purposes of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2017	New section

HED *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill results in no fiscal impact to the higher education constituent units as it does not alter the total amount provided for institutional financial aid. The bill does result in a potential redistribution of such aid among recipients.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**sHB 7000*****AN ACT EQUALIZING ACCESS TO STUDENT-GENERATED FINANCIAL AID.*****SUMMARY**

Beginning with the fall 2018 semester, this bill extends, to certain students who lack legal immigration status, eligibility for institutional financial aid to attend an in-state public higher education institution. The bill extends eligibility for the aid to these students, to the extent allowed by federal law, if they qualify for in-state tuition at the state's public colleges and universities (see BACKGROUND).

It also requires these students to file an affidavit with the institution they are attending to be eligible for the aid. The affidavit must state that they have either filed an application to legalize their immigration status or will file one as soon they are eligible. Students who are not legal immigrants are already required to file such an affidavit in order to qualify for in-state tuition (see BACKGROUND). Presumably, filing this affidavit once will make such students eligible for both in-state tuition and institutional financial aid.

Under the bill, institutional financial aid consists of (1) tuition waivers and remissions, (2) grants for educational expenses, and (3) student employment. The aid is funded by tuition revenue set aside by the public higher education institutions and, under existing law, is available to U.S. citizens and certain "eligible noncitizens" (e.g., permanent legal residents). The bill specifies that it does not require or compel an institution to match the amount of federal student aid that students who are not legal immigrants would receive if they were eligible for federal student aid.

The bill requires UConn and the Board of Regents for Higher

Education (BOR), by January 1, 2018, to establish procedures and develop forms to enable the newly eligible students to apply for and receive institutional financial aid. It allows UConn and BOR to adopt any policies necessary to implement the bill.

Under federal law, a person without legal immigration status is ineligible for most state and local public benefits, including postsecondary education benefits, unless a state law affirmatively provides for such eligibility (8 U.S.C. § 1621(d)).

EFFECTIVE DATE: July 1, 2017

BACKGROUND

In-state Tuition

By law, with limited exceptions, eligibility for in-state tuition is based on an applicant's domicile, which is his or her "true, fixed and permanent home" and the place where he or she intends to remain and return to when he or she leaves (CGS § 10a-28). One exception allows a person, except for certain nonimmigrant aliens (i.e., people with a visa permitting temporary entrance to the country for a specific purpose), to qualify for in-state tuition if he or she meets the following criteria:

1. resides in Connecticut (i.e., maintains a continuous and permanent physical presence, except for short, temporary absences);
2. attended an in-state educational institution and completed at least two years of high school in Connecticut;
3. graduated from a high school or the equivalent in Connecticut; and
4. is registered as an entering student, or is a student, at UConn, a Connecticut State University, a community-technical college, or Charter Oak State College.

Students without legal immigration status who meet the above

criteria must file an affidavit with the institution stating that they have applied to legalize their immigration status or will do so as soon as they are eligible (CGS § 10a-29(9)).

Related Bill

sSB 17, reported favorably by the Higher Education and Employment Advancement Committee, is identical to this bill.

COMMITTEE ACTION

Higher Education and Employment Advancement Committee

Joint Favorable Substitute

Yea 14 Nay 6 (03/15/2017)